

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/763,288	PETROVIC, RADE	
	<b>Examiner</b>	<b>Art Unit</b>	
	PAUL CALLAHAN	2437	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 9-22-2008.
2. ☒ The allowed claim(s) is/are 8-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date ____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date <u>12-30-2008</u>.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other ____.</li> </ol> |
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### **DETAILED ACTION**

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9-22-2008 has been entered.

2. Claims 8-26 remain pending and have been examined.

#### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Sanjeev Dhand on 12-30-2008.

The application has been amended as follows:

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IN THE CLAIMS:

Please amend claim 14 as follows:

14. A method for encoding information symbols onto a host signal,

comprising the steps of:

creating an auxiliary information carrier, wherein said auxiliary information carrier is comprised of a plurality of signal components having varying amounts of delay or offset from each other;

determining a value of an auxiliary information signal representing an information symbol;

calculating a value of said auxiliary information carrier corresponding to said determined value of said auxiliary information signal according to a predefined relationship between auxiliary information signal value and auxiliary information carrier;

developing a host modifying signal for modifying said host signal based upon said calculated value; and

modifying said host signal with said host modifying signal;

wherein said information symbols identify an attribute of said host signal.

***Allowable Subject Matter***

4. Claims 8-26 are allowed.

5. The following is an examiner's statement of reasons for allowance:

The closest prior art in the field does not teach the combination of features of the claimed invention, particularly including:

As per claims 8, 10, 12-14, 18, and 19, a method for encoding an information signal into a host signal comprising the steps of: creating an auxiliary information carrier having a plurality of signal components with varying degrees of offset or delay from one another, determining an auxiliary information signal, calculating a value of the auxiliary information carrier corresponding to the auxiliary information signal according to a predefined relationship between them, creating a host modifying signal based on the calculated value, and modifying the host signal with the host modifying signal, all in the manner of the Applicant as set forth in his Specification.

As per claim 20, a method for encoding information signals into a host signal comprising the steps of: creating an information carrier signal that comprises one or more features of the host signal, where the features comprise at least one of a filtered, masked, or shifted version of the host signal, determining a value of an auxiliary information signal that represents an information signal, calculating one or more values used to modify the information

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carrier in accordance with the auxiliary information signal, deriving a host modifying signal from the calculated values, and modifying the host signal with the host modifying signal, all in the manner of the Applicant as set forth in his Specification.

As per claims 25: a method for encoding information signals into a host signal comprising the steps of creating an information carrier signal that comprises one or more features of the host signal, determining a value of an auxiliary information signal that represents an information signal, calculating one or more values used to modify the information carrier in accordance with the auxiliary information signal, deriving a host modifying signal from the calculated values, and modifying the host signal with the host modifying signal, wherein the host modifying signal is obtained by modulating at least one of the amplitude or phase of the host signal, all in the manner of the Applicant as set forth in his Specification.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is: (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Paul Callahan/

12-30-2008

/Emmanuel L. Moise/

Supervisory Patent Examiner, Art Unit 2437

